

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JENNIFER ALGARIN-BARNES,

CIVIL DIVISION

Plaintiff;

Docket No.:

vs.

CITY OF PHILADELPHIA,

COMPLAINT IN CIVIL ACTION

Defendant.

Filed on behalf of Plaintiff:
JENNIFER ALGARIN-BARNES

Counsel of Record for this Party:
Steven Auerbach, Esquire
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Pa. I.D. #317309

JURY TRIAL DEMANDED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JENNIFER ALGARIN-BARNES,)	CIVIL DIVISION
Plaintiff;)	
)	Docket No.:
vs.)	
)	
CITY OF PHILADELPHIA,)	
Defendant.)	

I. COMPLAINT IN CIVIL ACTION

Plaintiff, Jennifer Algarin-Barnes (“Mrs. Algarin-Barnes” or “Plaintiff”), by and through her undersigned counsel, Law Office of Steven T. Auerbach, hereby files this Complaint against the City of Philadelphia (“Defendant” or “Employer”), and in support thereof avers as follows:

II. INTRODUCTION

1. This action is brought to remedy claims of employment retaliation under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000 *et seq.* and under the Pennsylvania Human Relations Act, 43 PA. Cons. Stat. § 951 *et seq.*
2. Plaintiff seeks injunctive and declaratory relief, economic and compensatory damages, attorneys’ fees and all other appropriate relief pursuant to governing law.

III. JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 and 1343(a)(4) because it arises under the laws of the United States and seeks redress for violation of federal laws. There lies supplemental jurisdiction over Plaintiff’s state-law claims because they arise out of the same common nucleus of operative facts as Plaintiff’s federal claims asserted herein.

4. This Court may properly maintain personal jurisdiction over Defendant because its contacts with this state and this judicial district are sufficient for the exercise of jurisdiction over Defendant to comply with traditional notions of fair play and substantial justice, satisfying the standard set forth by the United States Supreme Court in *International Shoe Co. v. Washington*, 326 U.S. 310 (1945) and its progeny.

5. Pursuant to 28 U.S.C. §§ 1391(b)(1) and (b)(2), venue is properly laid in this district because all of the acts and/or omissions giving rise to the claims set forth herein occurred in this judicial district, and Defendants are deemed to reside where they are subject to personal jurisdiction, rendering Defendant a resident of the Eastern District of Pennsylvania.

IV. PARTIES

6. The foregoing paragraphs are incorporated herein in their entirety as if set forth in full.

7. Plaintiff is an adult individual who resides in Philadelphia, Pennsylvania.

8. At all times relevant to this action, Plaintiff was and remains an “Employee” of the Defendant within the meaning of 42 U.S.C. §2000e-f and related state law(s).

9. Defendant City of Philadelphia is a political subdivision organized under the laws of Pennsylvania with a principal place of business in Philadelphia, Pennsylvania.

10. Defendant was and remains an “Employer” of the Plaintiff within the meaning of 42 U.S.C. §2000e-(b), (g), and (h) and related state law(s).

11. At all times relevant herein, Defendant acted by and through its agents, servants and employees, each of whom acted at all times relevant herein in the course and scope of their employment with and for Defendant.

12. Defendant has and continues to employ over five hundred (500) employees per calendar year for at least the last five (5) years, and Defendant engages in a variety of revenue-generating, business relationships.

V. EXHAUSTION OF ADMINISTRATIVE REMEDIES

13. The foregoing paragraphs are incorporated herein in their entirety as if set forth in full.

14. Plaintiff has exhausted her administrative remedies.

15. On June 14, 2019, Plaintiff filed a complaint of retaliation with the Mayor's Office of Labor Relations ("Office of Labor Relations") against the Defendant, Sheriff Jewell Williams ("Sheriff Williams"), and related actors.

16. Plaintiff then filed a timely initial charge of employment discrimination with the United States Equal Employment Opportunity Commission ("EEOC") on June 14, 2019 and directed same to cross-file with the Pennsylvania Human Relations Commission ("PHRC").

17. Plaintiff received her Right to Sue Notice from the EEOC after August 20, 2019.

18. Plaintiff commenced an initial, un-amended action within ninety (90) days of receipt of her Right to Sue Notice.

VI. FACTUAL ALLEGATIONS

19. The foregoing paragraphs are incorporated herein in their entirety as if set forth in full.

20. In August of 1995 and extending through the present (the "Term of Employment"), Plaintiff worked for the Defendant in a variety of capacities.

21. The latter portion of the Term of Employment was marred by disparate treatment, harassment and retaliation related to her refusal to be an instrument of her supervisor's unlawful conduct and her refusal to campaign following her participation in the matters of *Ramos v. City of*

Philadelphia and Williams v. City of Philadelphia, on behalf of her supervisor, Sheriff Jewell Williams (“Sheriff Williams”).

22. On or after December 2015, Sheriff Williams” became aware of two office romances: 1) between Vanessa Bines and Marquet Parsons; and 2) between Marlaina Williams and Monte Guess. Owing to his own feelings of openly-expressed jealousy and sexual-frustration, Sheriff Williams attempted to solicit Mrs. Algarin-Barnes’ help in gossiping/derogatorily discussing these relationships. When Mrs. Algarin-Barnes refused, she was targeted by Sheriff Williams or his assignee in a variety of ways.

23. Targeted hostilities intensified after more than five (5) individuals filed sexual harassment/retaliation actions naming Sheriff Williams and then intensified against after he lost his primary election.

24. Sheriff Williams’ retaliatory conduct against Plaintiff may be classified into the following categories: 1) levying false accusations; 2) facilitating public humiliation, isolation and exclusion; 3) and issuing openly hostile and threatening behavior.

a. False Accusations

25. In an effort to shame and punish Plaintiff and with the intention of lowering her standing in the office, Sheriff Williams and/or Paris Washington would circulate false accusations about or to her including by:

- a. telling Marquet Parsons that she was, “out to get him [Marquet Parsons];” and
- b. telling Marquet Parsons that she was, “not as clean as she portrays herself to be;” and
- c. telling Marquet Parsons that she was, “sleeping around;” and
- d. telling others including Deputy Thomas that she was, “sleeping around;” and
- e. stating that she can’t be trusted.

26. Sheriff Williams openly discussed the *Ramos* litigation and on multiple occasions, publicly announced, “Ramos is going to win her case because of [Plaintiff].” After Plaintiff was deposed in this

case, Sheriff Williams falsely announced on a conference call that she (Plaintiff) had “thrown him under the bus.”

27. Co-supervisor, Paris Washington, once directed a subordinate to come into his office and then, without any legitimate non-retaliatory reason, relayed that Plaintiff was in her current position without training and that she has never had any experience. Moreover, he refused to offer Plaintiff assistance in this new role.

28. On another occasion, Sheriff Williams became aware that Plaintiff had had a casual conversation with individuals who had filed complaints/lawsuits against him and he then screamed (falsely), “You think that people around here are your friends? You be around the main desk talking with them and they say you’re the ENEMY!”

29. False rumors were also circulated by Sheriff Williams or his assignee that Plaintiff was going to be jealous of his new female assistant, she might not be able to work for Internal Affairs, and that her husband won’t let her attend training.

30. These comments were also directed about Plaintiff’s husband by stating:

- a. that he got pleasure in promoting Plaintiff so that she would make more money than her husband; and
- b. that he would put Plaintiff on the ‘11 to 7’ just to see what it would do to her marriage;
- c. that her husband wouldn’t want Plaintiff after she turned 50 because, “No one wants a broken-down woman.”

31. These comments were also directed about Plaintiff’s son, Joshua, who is an employee of the Defendant. On one occasion, Sheriff Williams intentionally misreported to Plaintiff that Joshua had “cut up” or otherwise acted inappropriately in a meeting. On a separate occasion, Sheriff Williams directed a subordinate to levy a false complaint against Joshua.

32. Lastly, Sheriff Williams told Plaintiff's coworkers that the reason he lost the primary was because Plaintiff didn't "speak up for him" to the media- a ridiculous assertion given the margin of his defeat.

b. Public Humiliation, Isolation, and Exclusion

33. In an effort to undermine her role as a supervisor, Sheriff Williams or his assignee sought to avisterate the chain of command by having subordinates or individuals not directly in the chain of command give Plaintiff orders. Further, individuals under Plaintiff's command, such as Calvin Headen and Tracy Thomas, were directed by Paris Washington to withhold information from her.

34. When Plaintiff was transferred into Internal Affairs, Paris Washington refused to offer Plaintiff assistance in her new role and described to her subordinates that she didn't have any experience.

35. In an effort to increase Plaintiff's workplace isolation, Sheriff Williams attempted to move her office several times and eventually succeeded in transferring her to a different floor. According to Paris Washington, this was done "by design."

36. In the summer of 2018, Sheriff Williams publicly humiliated Plaintiff by announcing that he had intended to offer her an 'In-House' promotion, but choose not to because she [Plaintiff] didn't "step up."

37. Since the filing of her administrative complaint, Plaintiff has been excluded from meetings, promotions, swearing-in ceremonies, and luncheons.

c. Open Hostility

38. The environment created by Sheriff Williams and Paris Washington was openly hostile with Sheriff Williams frequently appearing at Plaintiff's workspace with agitation, glares, slamming doors so forcefully that pictures would fall off walls, and speaking in a loud, pronounced voice.

39. At other times, the silence would be deafening by intentionally ignoring her. Following one instance of being ignored by Paris Washington, Plaintiff asked, "What? am I nothing?" to which he indignantly responded, "You must feel like nothing."

40. Sheriff Williams frequently threatened Plaintiff and Joshua's job by stating, "There are going to be some changes around here- after I get re-elected... it's on." Making good on his promise, after Sheriff Williams lost his primary, Hope Smart announced to Plaintiff that, "The Exempts [such as Joshua] will be getting their pink-slips in October/November."

COUNT I: ALGARIN-BARNES V. CITY OF PHILADELPHIA
Violations of Title VII of the Civil Rights Act of 1964 ("Title VII")
Violations of the Pennsylvania Human Relations Act ("PHRA")
(Retaliation)

41. The foregoing paragraphs are incorporated herein in their entirety as if set forth in full.

42. In violation of Title VII of the Civil Rights Act of 1964 and the PHRA, Defendant retaliated against Plaintiff as described herein.

43. Defendant acted knowingly, willfully, and/or negligently in violation of these Acts.

44. Plaintiff has suffered and continues to suffer irreparable mental and physical injury as well as monetary damages as a result of Defendant's retaliatory conduct as described herein.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Court enter an Order providing:

- a. That the Court issue a declaratory judgment that the acts, policies, and practices complained herein are in violation of Title VII and the PHRA; and
- b. That the Court enjoin Defendant from continuing its acts, policies, and practices which violate Title VII and the PHRA; and
- c. Directing Defendant to reinstate/promote Plaintiff to the position she would have occupied but for Defendant's unlawful conduct, making her whole for all earning she would have received but for Defendant's unlawful conduct, including but not limited to wages, bonuses and other lost benefits; and

- d. Directing Defendant to make Plaintiff whole by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described above, with interest, in amounts to be determined at trial; and
- e. Directing Defendant to make Plaintiff whole by providing compensation for past and future non-pecuniary losses caused by the above unlawful conduct, including pain and suffering, emotional distress, indignity, loss of enjoyment of life, loss of self-esteem, and humiliation, in amounts to be determined at trial; and
- f. Granting such other relief as the Court deems necessary and proper.

DEMAND FOR TRIAL BY JURY

Pursuant to FRCP 38(b), Plaintiff demands a trial by jury on all questions of fact raised by the complaint.

LAW OFFICE OF STEVEN T. AUERBACH

By: 

Steven T. Auerbach, Esq.
822 Montgomery Ave.
Suite 210
Narberth, PA 19072
(215) 964-4410
Steven@TheAuerbachFirm.com

Attorney for Plaintiff

Dated: November 12, 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JENNIFER ALGARIN-BARNES,)
Plaintiff,)
CIVIL DIVISION)

Docket No.:)

VS.)

CITY OF PHILADELPHIA,)
Defendant.)

VERIFICATION

The undersigned hereby states that the statements of fact made in the foregoing document are true and correct to the best of my information and belief. The language of the document was prepared on the advice of my attorney and any legal claims or legal defenses asserted in the document are pleaded on the advice of my attorney. If the document contains averments which are inconsistent in fact, then I have been unable after reasonable investigation to ascertain which of the inconsistent averments are true, but to the best of my information and belief, one of them is true. I understand that false statements made herein are subject to the penalties of 28 U.S.C. §1746 relating to unsworn falsification to authorities.

Dated: 11/12/2019

Jennifer Algarin-Barnes
JENNIFER ALGARIN-BARNES

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 822 Montgomery Ave. Suite 210, Norwath, PA 19077Address of Defendant: 1515 Arch St. 11th Floor Philadelphia, PA 19102Place of Accident, Incident or Transaction: Philadelphia**RELATED CASE, IF ANY:**

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|------------------------------|-----------------------------|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: _____ Must sign here _____
 Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

CIVIL: (Place a √ in one category only)**A. Federal Question Cases:**

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☒ 7. Civil Rights
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases
 (Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify): _____
- ☐ 7. Products Liability
- ☐ 8. Products Liability - Asbestos
- ☐ 9. All other Diversity Cases
 (Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Steven Averch, counsel of record or pro se plaintiff, do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☒ Relief other than monetary damages is sought.

DATE: 11/6/19 _____ Sign here if applicable _____
 Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

JS 44 (Rev. 02/19)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS*Jennifer Alger - Barnes*

(b) County of Residence of First Listed Plaintiff

Philadelphia

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS*City of Philadelphia*

County of Residence of First Listed Defendant

Philadelphia

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)☐ 1 U.S. Government Plaintiff☒ 3 Federal Question
(U.S. Government Not a Party)☐ 2 U.S. Government Defendant☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 490 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. § 1983

Brief description of cause:

*Employment Retaliation***VII. REQUESTED IN COMPLAINT:**
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Jennifer Alvarin - Barnes

CIVIL ACTION

v.

City of Philadelphia

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ☒

<u>11/6/19</u>	<u>Steven Averbach</u>	<u>Plaintiff</u>
Date	Attorney-at-law	Attorney for
<u>(215) 964-4410</u>	<u>(610) 667-7305</u>	<u>averbach.steven@gmail.com</u>
Telephone	FAX Number	E-Mail Address